

## Remarks

**[0001]** Herein, the "Action" or "Office Action" refers to the final Office Action dated December 19, 2008.

**[0002]** Applicant respectfully directs the Office to the sections below as to history of the instant application and dependent claim 20, which is now represented as new independent claim 49. With respect to dependent claim 20 (now claim 49), Applicant demonstrates that the essentially the same rejection was maintained even though significant amendments were made to dependent claim 20. Applicant submits that the grounds for rejection in the pending Final Office Action as to claim 20 (now claim 49) fail to meet the standards under the MPEP. For at least this reason, Applicant requests (i) withdrawal of finality of the pending Office Action or (ii) entry of the current amendments followed by a non-final Office Action or allowance of at least some of the claims.

**[0003]** Applicant respectfully requests reconsideration and allowance of all pending claims of the application. Claims 1, 4-12, 15-19, 21-23 and 26-47 are presently pending. Claims 1, 12, 23, 33 and 43 are amended herein. Support for the amendments can be found at least at pages 6-26 and Figs. 1-9 of the Specification "as-filed." Claims 2, 3, 13, 14, 20 and 48 are canceled herein. New claim 49 is added herein which is a representation of dependent claim 20, as presented in Applicant's prior response of September 15, 2008.

**[0004]** Applicant's amendments and remarks after Final are appropriate under 37 C.F.R. §1.116 because they address the Office's remarks in the Final Action, and thus could not have been presented earlier. In addition, the amendments and remarks should be entered to place the case in better form for appeal.

**Brief History of Instant Application**

**[0005]** The instant application was filed on December 12, 2003. The Examiner Eric M. Gibson prepared the first Office Action, mailed December 9, 2005, and a Final Office Action, mailed April 20, 2006 (under SPE Thomas Black). At some time after Applicant's response to the Final Office Action mailed April 20, 2006, Marie Weiskopf was assigned as the Examiner. Examiner Weiskopf prepared an Advisory Action, mailed July 25, 2006, stating: "The Examiner does not find the Applicant's explanation persuasive". In course, Applicant filed a Notice of Appeal and an Opening Brief on Appeal.

**[0006]** Rather than proceeding with the Appeal, Examiner Weiskopf mailed a Non-Final Office Action on May 22, 2007, which maintained the primary reference Shirane et al. (US 5,491,631) to reject all claims. In response, Applicant amended the independent claims. In a Final Office Action mailed December 6, 2007 (now under SPE Khoi H. Tran), Examiner Weiskopf entered new grounds of rejection that maintained Shirane et al. (US 5,491,631) as the primary reference. In an Interview Summary mailed March 5, 2008, Examiner Weiskopf stated: "Examiner and

Applicant's attorney discussed the prior art references and discussed how to potentially write the claims to overcome the cited references". In turn, Applicant filed a response with a Request for Continued Examination.

**[0007]** On April 15, 2008, Examiner Weiskopf mailed a Non-Final Office Action that rejected some claims based on Schofield et al. (US 7,308,341) and other claims based on Schofield et al. in view of Ames (US 6,735,503). Specifically, claims 9, 11, 20, 22 and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al. in view of Ames (Office Action of April 15, 2008 at page 8).

**[0008]** The pending Final Office Action was mailed on December 19, 2008 by Examiner Nicholas Kiswanto, the third Examiner assigned to the instant application. As indicated below, the Final Office Action maintains Schofield et al. as a primary reference. Further below, Applicant respectfully requests clarity as to the finality of the pending rejections.

## **Substantive Claim Rejections**

### **35 USC § 103 Claim Rejections**

**[0009]** Claims 1-10, 12-23, 26-30, 32-40 and 43-48 are rejected under 35 U.S.C. §103(a) for obviousness over U.S. Patent No. 7,308,341 to Schofield et al. (hereinafter, "Schofield") in view of U.S. Patent No. 6,735,503 to Ames (hereinafter, "Ames") (*Office Action*, p. 2).

**[0010]** Claims 11 and 31 are rejected under 35 U.S.C. §103(a) for obviousness over U.S. Patent No. 7,308,341 to Schofield in view of U.S. Patent Application Publication No. 2008/0195261 to Breed (hereinafter, "Breed") (*Office Action*, p.10).

**[0011]** Claims 41 and 42 are rejected under 35 U.S.C. §103(a) for obviousness over Schofield (*Office Action*, p.11).

**Finality of Pending Office Action: Claims 9, 20 (now 49) and 22**

**[0012]** In a "Response to Arguments" section (Final Office Action, item 5, at page 11), the Office states: "Applicant's arguments with respect to claims 1-48 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments have been addressed in rejection above".

**[0013]** Applicant respectfully requests clarification as claims 9, 20 and 22 were previously rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al. in view of Ames (Office Action of April 15, 2008 at page 8) and now remain rejected for the same reasons (see Final Office Action of December 19, 2008 at page 5). Specifically, both of these Office Actions rely on the same evidence (Schofield at col. 21, line 15 to col. 22, line 61 and the Abstract of Ames) and the same reasoning.

**[0014]** Given the foregoing, Applicant respectfully requests clarification and reconsideration as to the finality of the pending Office Action. Specifically, for claims 9, 20 and 22, the Office has not provided

“new grounds” of rejection or explained with sufficient detail why the amendments presented in the prior response did not overcome the combination of Schofield and Ames.

**[0015] Claim 20 now Claim 49:** More precisely, Applicant respectfully directs the Office to Applicant’s prior Response of September 15, 2008 and to dependent claim 20, which depended on independent claim 12. Dependent claim 20 was amended significantly in Applicant’s prior response (**two entire clauses were added**). Yet, in the pending Final Office Action, the Office maintained its prior ground of rejection (i.e., same evidence and reasoning).

**[0016]** Given the lengthy history (including Examiner Interviews, filing of an Appeal Brief, filing of a Request for Continued Examination), Applicant submits that prosecution would benefit from clear, articulated reasons as to why dependent claim 20 (now independent claim 49), as previously amended, is obvious over Schofield in view of Ames.

**[0017]** For the foregoing reasons, Applicant respectfully requests (i) withdrawal of the pending Final Office Action or (ii) entry of the amendments presented herein followed by a non-final Office Action or allowance of at least some of the claims.

### **Brief Summary of Amendments to the Claims**

**[0018]** Applicant notes that claims 2, 3, 13, 14, 20 and 48 are canceled herein. Specifically, subject matter of claim 2 and subject matter

of claim 3 are represented in independent claim 1; subject matter of claim 13 and subject matter of claim 14 are represented in independent claim 12; subject matter of claim 20 is represented in independent claim 12; and subject matter of claim 48 is represented in independent claim 43. Further, as mentioned, dependent claim 20 is represented as new independent claim 49 (with subject matter of independent claim 12 as previously presented).

**MPEP §714.13(III): After Final Action by Examiner**

**[0019]** As the amendments essentially represent subject matter of dependent claims, Applicant respectfully requests entry and "sufficient consideration to determine whether the claims are in condition for allowance" (MPEP §714.13(III)). Applicant respectfully submits that the amendments and arguments traverse the pending §103(a) rejections. Applicant requests reconsideration and allowance in light of the comments and amendments contained herein. Accordingly, Applicant requests that the rejections be withdrawn and that the case be passed along to issuance.

**Admissions by the Office**

**[0020]** With respect to claims 1, 12, 20 and 43: "Schofield is silent as to the specifics of generating a browsable network document which includes the data from the plurality of systems of the vehicle which has been collected and the explanation of the vehicle condition and transmitting the browsable network document from the vehicle to a

remote client where vehicle system data and the explanation of the vehicle condition can be browsed and a severity ranking of the vehicle condition” (Final Office Action at page 3).

**[0021]** With respect to claims 9, 20 and 22: “Schofield et al fails to specifically disclose presenting the explanation at a remote client or transmitting the diagnostic code to a remote client” (Final Office Action at page 5).

**[0022]** With respect to claim 23: “Schofield is silent as to the specifics of generating a browsable network document which includes the data from the plurality of systems of the vehicle which has been collected and the explanation of the vehicle condition and transmitting the browsable network document from the vehicle to a remote client where vehicle system data and the explanation of the vehicle condition can be browsed” (Final Office Action at page 6).

**[0023]** With respect to claim 33: “Schofield is silent as to the specifics of generating a browsable network document which includes the data from the plurality of systems of the vehicle which has been collected and the explanation of the vehicle condition and transmitting the browsable network document from the vehicle to a remote client where vehicle system data and the explanation of the vehicle condition can be browsed” (Final Office Action at page 8).

**[0024]** With respect to claims 11 and 31: "[Schofield] is silent as to the specifics of the remote client being a repair facility" (Final Office Action at page 10).

**[0025]** With respect to claim 41: "[Scholfield] fails to specifically discuss storing the severity level associated with the vehicle condition" (Final Office Action at page 11).

**[0026]** With respect to claim 42: "Schofield et al fails to specifically disclose wherein the vehicle diagnostics code is an onboard diagnostics II code" (Final Office Action at page 11).



**[0027]**     **Claim 1** has been amended to recite subject matter of dependent claims 2 and 3. As currently amended, claim 1 now recites a method, comprising:

collecting, on a computer maintained within a vehicle, data from a plurality of systems of the vehicle, wherein the plurality of systems comprises:

an onboard diagnostics system for generating vehicle diagnostics codes when problems occurs with an engine of the vehicle, wherein each vehicle diagnostics code comprises a set of cryptic symbols corresponding to a vehicle condition; and at least one of a vehicle security system, an obstacle detection system, a vehicle media system, a vehicle environment system, or a vehicle sound system, wherein each vehicle system is connected to the computer by a respective interface;

generating, on the computer, an explanation of a vehicle condition based on, a vehicle diagnostics code which has been generated by the onboard diagnostics system, wherein the explanation combines data collected from the diagnostics system with data collected from at least one other vehicle system, and wherein the generating operation comprises retrieving both a textual explanation of the vehicle diagnostics code and a graphical illustration of a component associated with the vehicle diagnostics code which can be displayed within the vehicle to provide a user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code;

generating a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code; and

transmitting the browsable network document from the vehicle to a remote client over a network, where the user-friendly representation of vehicle condition can be browsed.

**[0028]** Schofield and/or Ames do not teach or suggest the combination of features recited in amended claim 1. For example, the Schofield-Ames combination does not teach or suggest, "generating, on the computer, an explanation of a vehicle condition based on, a vehicle diagnostics code which has been generated by the onboard diagnostics system, wherein the explanation combines data collected from the diagnostics system with data collected from at least one other vehicle system, and wherein the generating operation comprises retrieving both a textual explanation of the vehicle diagnostics code and a graphical illustration of a component associated with the vehicle diagnostics code which can be displayed within the vehicle to provide a user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code" and then "generating a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code; and transmitting the browsable network document from the vehicle to a remote client over a network, where the user-friendly representation of vehicle condition can be browsed", as recited in claim 1 (Emphasis Added).

**[0029]** To support its assertion of obviousness with regard to claim 1, the Office first cites to Schofield (*Office Action*, pages 2-3; *Schofield*, col.21 ln.15 to col.22 ln.61). Schofield describes providing a video display within an vehicle, and then using the video display to show text and/or images of the owners manual or user manual for the vehicle and/or vehicle accessories (*Schofield*, col.21 lns.15-20). Schofield further describes that

the display may supplement the users manual images or text information by presenting a video clip showing the user how to perform a desired task (*Schofield*, col.21 Ins.30-41). For example, Schofield describes that when a user want to learn how to set the clock in the vehicle, the user may first read instructions from the users manual about how to set the clock, and may then view a video showing a person setting the clock (*Schofield*, col.21 Ins.30-41). Schofield also describes that optionally, the display and selection of particular sections of the manual may be linked to activation of a vehicle warning or fault indication, such as a flat tire detection, or a detection of a burned out light bulb (*Schofield*, col.21 Ins.45-50). When such occurs, the display may "display the appropriate portion of section of the manual (which may show instructions or video clips on how to correct or repair or replace the detected fault or item) or other appropriate messages (such as an alert to take the vehicle in for service or repair)" (*Schofield*, col.21 Ins.45-55).

**[0030]** However, Schofield does not teach or suggest, "generating a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code" and then "transmitting the browsable network document from the vehicle to a remote client over a network, where the user-friendly representation of vehicle condition can be browsed", as recited in claim 1.

**[0031]** The Office acknowledges that "Schofield is silent as to the specifics of generating a browsable network document with includes data from the plurality of systems of the vehicle and transmitting the browsable

document from the vehicle to a remote client where the vehicle system data and the explanation of the vehicle condition can be browsed" (*Office Action*, p.3).

**[0032]** The Office then relies on Ames as curing the deficiencies of Schofield (*Office Action*, p.3; Ames, col.5 Ins.16-51). However, Ames fails to cure the deficiencies of Schofield as Ames does not teach or suggest "generating a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code" and then "transmitting the browsable network document from the vehicle to a remote client over a network, where the user-friendly representation of vehicle condition can be browsed", as recited in claim 1.

**[0033]** Instead, Ames describes a method for remotely diagnosing a vehicle which includes the steps of retrieving a diagnostic code from the vehicle, filtering the diagnostic code based on at least one usability factor, and then sending a preset diagnostic response associated with the filtered code to the vehicle (*Ames*, Abstract). With regard to the Internet, Ames describes that the subscriber 210 (car/driver) may have graphical user interface (GUI) access through a communication network 2230 such as the Internet (Ames, col.5 Ins.7-10). However, Ames says nothing about "generating a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code" and then "transmitting the browsable network document from the vehicle to a remote client over a network, where the

user-friendly representation of vehicle condition can be browsed", as recited in claim 1. Applicant submits that at best, Ames discloses a vehicle/client communicating a vehicle diagnostic code to a remote location/service center.

**[0034]** Ames describes a system in which a vehicle client calls the service management application, after the vehicle client has been authenticated, the service management application receives any diagnostic codes present at the vehicle (*Ames*, col.9 ln.1 to col.10 ln.10). The service management application may then access a diagnostic code database which contains the diagnostic codes, and a preset voice response which is associated with the codes can be communicated to the vehicle client (*Ames*, col.9 ln.1 to col.10 ln.10). This automated voice response system of Ames is described in detail with referenced to Fig. 5 of Ames (*Ames*, col.8 ln.62 to col.11 ln.25 and Fig. 5). Ames does indicate that in some situations a call from the vehicle/client may be transferred to a live representative when such is needed to satisfy a user inquiry (*Ames*, col.1 lns.45-65).

**[0035]** However, Ames fails to cure the deficiencies of Schofield as Ames does not teach or suggest "generating a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code" and then "transmitting the browsable network document from the vehicle to a remote client over a network, where the user-friendly representation of vehicle condition can be browsed", as recited in claim 1.

**[0036]** Accordingly, for at least these reasons, claim 1 is allowable over the Schofield-Ames combination, and Applicant respectfully requests that the 103 rejection be withdrawn.

**[0037]** **Claims 4-10** are allowable by virtue of their dependency upon claim 1. Additionally, claims 4-10 may be allowable over the Schofield-Ames combination for independent reasons.

**[0038]** **Claim 12** is currently amended to recite subject matter of claims 13, 14 and 20. As currently amended, claim 12 recites a computer-readable medium having stored thereon a computer program having executable instructions for performing a process comprising:

collecting, on a computer maintained within a vehicle, data from a plurality of systems of the vehicle; wherein the plurality of systems comprises:

an onboard diagnostics system for generating vehicle diagnostic codes when problems occurs with an engine of the vehicle, wherein each vehicle diagnostics code comprises a set of cryptic symbols corresponding to a vehicle condition; and

at least one of a vehicle security system, an obstacle detection system, a vehicle media system, a vehicle environment system, or a vehicle sound system; and

generating on the computer an explanation of a vehicle condition based on a vehicle diagnostics code which has been generated by the onboard diagnostics system, wherein the explanation combines data collected from the onboard diagnostics system with data collected from at least one other vehicle system to produce a severity ranking of the vehicle condition which is based at least in part on the data collected from the at least one other vehicle system, and wherein the generating operation comprises retrieving both a textual explanation of the vehicle diagnostics code and a graphical illustration of a component associated with the vehicle diagnostics code which can be displayed within the vehicle to provide a user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code;

generating a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code; and

transmitting the browsable network document from the vehicle to a remote client over a network, where the user-friendly representation of vehicle condition can be browsed.

**[0039]** The Office rejects claim 12 for reasons similar to those set forth in the rejection of claims 1 (*Office Action*, pp.2-3). In response, Applicant asserts that amended claim 12 is allowable over the Schofield-Ames combination based on reasoning similar to that discussed above in response to the rejection of claim 1.

**[0040]** For example, Applicant respectfully submits that Schofield and/or Ames do not teach or suggest a computer-readable medium having stored thereon a computer program having executable instructions for performing a process comprising, "generating on the computer an explanation of a vehicle condition based on a vehicle diagnostics code which has been generated by the onboard diagnostics system, wherein the explanation combines data collected from the onboard diagnostics system with data collected from at least one other vehicle system to produce a severity ranking of the vehicle condition which is based at least in part on the data collected from the at least one other vehicle system, and wherein the generating operation comprises retrieving both a textual explanation of the vehicle diagnostics code and a graphical illustration of a component associated with the vehicle diagnostics code which can be displayed within the vehicle to provide a user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code" and then "generating a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code; and transmitting the browsable network document from the vehicle to a remote client over a network, where the



user-friendly representation of vehicle condition can be browsed", as recited in claim 12 (Emphasis Added). For the sake of brevity, Applicant has not repeated the arguments.

**[0041]** Accordingly, for at least these reasons, claim 12 is allowable over the Schofield-Ames combination, and Applicant respectfully requests that the 103 rejection be withdrawn.

**[0042]** **Claims 15-19 and 21-22** are allowable by virtue of their dependency upon claim 12. Additionally, claims 15-19 and 21-22 may be allowable over the Schofield-Ames combination for independent reasons.

**[0043]** **New Claim 49 (formerly claim 20)** is believed allowable at least because the Office failed to articulate specific reasons as to why it would be obvious over Schofield in view of Ames. As stated above, dependent claim 20 was amended in Applicant's prior response. However, in the pending Final Office Action, the Office merely parroted the same evidence and arguments that were presented in the prior Office Action (under Examiner Weiskopf). The lack of attention to dependent claim 20 circumvents principles of fairness unless the finality of the pending Final Office Action is withdrawn, the amendments entered or new claim 49 allowed. Further, Applicant notes that the subject matter of dependent claim 20 has been represented in independent claim 12. For at least this reason, the same or similar argument applies to independent claim 12.

**[0044]**     **Claim 23** has been amended and now recites a vehicle comprising:

an onboard diagnostics system for generating vehicle diagnostics codes when problems occurs with an engine of the vehicle, wherein each vehicle diagnostics code comprises a set of cryptic symbols corresponding to a vehicle condition;

one or more other vehicle systems; and

a host computer communicatively coupled to the vehicle diagnostics system and the one or more other systems via respective interfaces, wherein the computer is configured to:

collect data from a plurality of said vehicle systems;

generate a deciphered explanation of a vehicle diagnostics code, wherein the deciphered explanation contains a textual explanation of the vehicle diagnostics code and a graphical illustration of a component associated with the vehicle diagnostics code which can be displayed within the vehicle to provide a user-friendly representation of a vehicle condition corresponding to the vehicle diagnostics code;

generate a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code; and

transmit the browsable network document from the vehicle to a remote client over a network, where the user-friendly representation of vehicle condition can be browsed.

**[0045]**     The Office rejects claim 23 for reasons similar to those set forth in the rejection of claims 1 (*Office Action*, p.5). In response, Applicant asserts that amended claim 23 is allowable over the Schofield-Ames combination based on reasoning similar to that discussed above in response to the rejection of claim 1.

**[0046]**     For example, Applicant respectfully submits that Schofield and/or Ames do not teach or suggest a vehicle comprising a host

computer communicatively coupled to the vehicle diagnostics system and the one or more other systems via respective interfaces, wherein the computer is configured to, "generate a deciphered explanation of a vehicle diagnostics code, wherein the deciphered explanation contains a textual explanation of the vehicle diagnostics code and a graphical illustration of a component associated with the vehicle diagnostics code which can be displayed within the vehicle to provide a user-friendly representation of a vehicle condition corresponding to the vehicle diagnostics code" and to "generate a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code; and transmit the browsable network document from the vehicle to a remote client over a network, where the user-friendly representation of vehicle condition can be browsed", as recited in claim 23 (Emphasis Added). For the sake of brevity, Applicant has not repeated the arguments.

**[0047]** Accordingly, for at least these reasons, claim 23 is allowable over the Schofield-Ames combination, and Applicant respectfully requests that the 103 rejection be withdrawn.

**[0048]** **Claims 26-30 and 32** are allowable by virtue of their dependency upon claim 23. Additionally, claims 26-30 and 32 may be allowable over the Schofield-Ames combination for independent reasons.

**[0049]**     **Claim 33** has been amended and now recites a vehicle-based system comprising:

        a diagnostics receiver module for receiving a vehicle diagnostics code from an onboard vehicle diagnostics system, the vehicle diagnostics code including a set of cryptic symbols and corresponding to a vehicle condition;

        one or more interfaces corresponding to one or more other vehicle systems and configured to receive vehicle systems data from a respective vehicle system;

        means for generating an explanation of the vehicle condition based on the vehicle diagnostics code, wherein the explanation combines data received from the vehicle diagnostics system and at least one said other vehicle system, wherein the explanation contains a textual explanation of the vehicle condition and a graphical illustration of a component associated with the vehicle condition which can be displayed within the vehicle to provide a user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code;

        means for generating a browsable network document which includes the user-friendly representation of the vehicle condition based on the vehicle diagnostics code; and

        means for transmitting the browsable network document from the vehicle to a remote client over a network, where the user-friendly representation of vehicle condition can be browsed.

**[0050]**     The Office rejects claim 33 for reasons similar to those set forth in the rejection of claims 1 (*Office Action*, pp.7-8). In response, Applicant asserts that amended claim 33 is allowable over the Schofield-Ames combination based on reasoning similar to that discussed above in response to the rejection of claim 1.

**[0051]** For example, Applicant respectfully submits that Schofield and/or Ames do not teach or suggest a vehicle comprising a host computer communicatively coupled to the vehicle-based system comprising, "means for generating an explanation of the vehicle condition based on the vehicle diagnostics code, wherein the explanation combines data received from the vehicle diagnostics system and at least one said other vehicle system, wherein the explanation contains a textual explanation of the vehicle condition and a graphical illustration of a component associated with the vehicle condition which can be displayed within the vehicle to provide a user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code" and "means for generating a browsable network document which includes the user-friendly representation of the vehicle condition based on the vehicle diagnostics code; and means for transmitting the browsable network document from the vehicle to a remote client over a network, where the user-friendly representation of vehicle condition can be browsed", as recited in claim 33 (Emphasis Added). For the sake of brevity, Applicant has not repeated the arguments.

**[0052]** Accordingly, for at least these reasons, claim 33 is allowable over the Schofield-Ames combination, and Applicant respectfully requests that the 103 rejection be withdrawn.

**[0053]** **Claims 34-40** are allowable by virtue of their dependency upon claim 33. Additionally, claims 34-40 may be allowable over the Schofield-Ames combination for independent reasons.

**[0054]**     **Claim 43** has been amended to include subject matter of claim 48. As currently amended, claim 43 now recites a method comprising:

receiving, on a vehicle based computer, a vehicle diagnostics code from an onboard vehicle diagnostics system, the onboard vehicle diagnostics code including a set of one or more cryptic symbols and corresponding to a vehicle condition;

receiving vehicle systems data from one or more of a vehicle security systems, an obstacle detection systems, a vehicle media systems, a vehicle environment systems, or a vehicle sound systems; and

retrieving an explanation of the vehicle condition based on the vehicle diagnostics code; wherein the explanation combines data from the onboard vehicle diagnostics system and at least one said other vehicle system to produce a severity ranking of the vehicle condition which is based at least in part on the vehicle systems data received, and wherein the retrieving operation comprises retrieving both a textual explanation of the vehicle diagnostics code and a graphical illustration of a component associated with the vehicle diagnostics code which can be displayed within the vehicle to provide a user-friendly representation of a vehicle condition corresponding to the vehicle diagnostics code;

generating a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code; and

transmitting the browsable network document from the vehicle to a remote client over a network where the user-friendly representation of vehicle condition can be browsed.

**[0055]**     The Office rejects claim 43 for reasons similar to those set forth in the rejection of claims 1 (*Office Action*, pp.2-3). In response,

Applicant asserts that amended claim 43 is allowable over the Schofield-Ames combination based on reasoning similar to that discussed above in response to the rejection of claim 1.

**[0056]** For example, Applicant respectfully submits that Schofield and/or Ames do not teach or suggest a method comprising, "retrieving an explanation of the vehicle condition based on the vehicle diagnostics code; wherein the explanation combines data from the onboard vehicle diagnostics system and at least one said other vehicle system to produce a severity ranking of the vehicle condition which is based at least in part on the vehicle systems data received, and wherein the retrieving operation comprises retrieving both a textual explanation of the vehicle diagnostics code and a graphical illustration of a component associated with the vehicle diagnostics code which can be displayed within the vehicle to provide a user-friendly representation of a vehicle condition corresponding to the vehicle diagnostics code" and then "generating a browsable network document which includes the user-friendly representation of the vehicle condition corresponding to the vehicle diagnostics code; and transmitting the browsable network document from the vehicle to a remote client over a network where the user-friendly representation of vehicle condition can be browsed", as recited in claim 43 (Emphasis Added). For the sake of brevity, Applicant has not repeated the arguments.

**[0057]** Accordingly, for at least these reasons, claim 43 is allowable over the Schofield-Ames combination, and Applicant respectfully requests that the 103 rejection be withdrawn.

**[0058]**     **Claims 44-47** are allowable by virtue of their dependency upon claim 43. Additionally, claims 44-47 may be allowable over the Schofield-Ames combination for independent reasons.

**[0059]**     **Claims 11 and 31** are rejected under 35 U.S.C. §103(a) as being obvious over Schofield in view of Ames and further in view of Breed. Applicant notes that neither of claims 11 and 31 are independent claims, and that each of these claims ultimately depend from one of the independent claims (here claims 1 and 23 respectively). Applicant further notes that it is axiomatic that any dependent claims which depend from an allowable base claim are also allowable, and therefore the Applicant does not believe that it is necessary to present arguments in favor of claims 1 and 23 as these claims should be allowable for at least the reasons discussed above in response to rejection of the independent claims, as well as for their own recited features which are neither shown nor supported by the cited references. Further, Breed fails to cure the deficiencies described above with respect to Schofield and/or Ames, and the §103 rejections of independent claims 1 and 23.

**[0060]**     Accordingly, Applicant requests that the §103 rejection be withdrawn and that claims 11 and 31 be allowed in the next action.



**[0061]**     **Claims 41 and 42** are rejected under 35 U.S.C. §103(a) as being obvious over Schofield. Applicant notes that it is axiomatic that any dependent claims which depend from an allowable base claim are also allowable, and therefore the Applicant does not believe that it is necessary to present arguments in favor of claims 41 and 42 as these claims should be allowable for at least the reasons discussed above in response to rejection of the independent claim 33, as well as for their own recited features which are neither shown nor supported by the cited references.

**[0062]**     Accordingly, Applicant requests that the §103 rejection be withdrawn and that claims 11 and 31 be allowed in the next action.

### **Dependent Claims**

**[0063]**     In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant submits that the Office withdraw the rejection of each dependent claim where its base claim is allowable.

### **New Claim 49**

**[0064]**     For new claim 49, please refer above to discussion of former dependent claim 20.

## **Conclusion**

**[0065]** Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Office is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: April 20, 2009

By: /Brian J. Pangrle/  
Brian J. Pangrle  
Reg. No. 42,973  
(509) 324-9256  
[www.lee&hayes.com](http://www.lee&hayes.com)